

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Safety.

**The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

**PART 39—AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

**§ 39.13 [Amended]**

2. Section 39.13 is amended by adding the following new airworthiness directive:

**Bombardier Inc. (Formerly Canadair):**

Docket 94–NM–239–AD.

**Applicability:** Model CL–600–1A11 (CL–600) series airplanes, serial numbers 1004 through 1085 inclusive; Model CL–600–2A12 (CL–601) series airplanes, serial numbers 3001 through 3066 inclusive; Model CL–600–2B16 (CL–601–3A, –3R) series airplanes, serial numbers 5001 through 5150 inclusive; Model CL–500–2B19 (Regional Jet Series 100) series airplanes, serial numbers 7003 through 7040 inclusive; equipped with Sundstrand air driven generator (ADG) uplock assembly having part number 721863, 721863A, or 721863B; certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent failure of the shaft pin, which could lead to the inability of the pilot to manually deploy the air driven generator (ADG) when necessary (i.e., when an airplane's primary electrical power sources are lost and the ADG fails to deploy automatically), accomplish the following:

(a) For Model CL–600–2B19 (Regional Jet Series 100) series airplanes equipped with Sundstrand ADG uplock assembly having P/

N 721863B: Accomplish paragraphs (a)(1), (a)(2), and (a)(3), in accordance with Canadair Alert Service Bulletin S.B. 1601R–24–019, Revision 'A', dated August 9, 1994.

(1) Within 600 flight hours after the effective date of this AD, perform an inspection to verify the proper operation of the uplock latch of the ADG, in accordance with the Accomplishment Instructions of the service bulletin. If the uplock latch cannot be activated, prior to further flight, replace the uplock latch with a serviceable part in accordance with the service bulletin.

(2) Within 12 months after the effective date of this AD, replace the uplock assembly with a modified uplock assembly, in accordance with the Accomplishment Instructions of the service bulletin.

(3) After accomplishment of paragraph (a)(1) or (a)(2) of this AD, perform a rigging inspection in accordance with the Accomplishment Instructions of the service bulletin.

(b) For Model CL–600–2A12, CL–2B16, and CL–600–1A11 series airplanes: Accomplish paragraphs (b)(1), (b)(2), and (b)(3), in accordance with Canadair Service Bulletin 600–0638, dated April 25, 1994 (for Model CL–600–1A11 series airplanes), or Canadair Service Bulletin 601–0430, dated April 25, 1994 (for Model CL–600–2A12 and –2B15 series airplanes), as applicable.

(1) Within 150 flight hours after the effective date of this AD, perform an inspection to verify the proper operation of the uplock latch of the ADG, in accordance with the Accomplishment Instructions of the applicable service bulletin. If the uplock latch cannot be activated, prior to further flight, replace the uplock latch with a serviceable part, in accordance with the applicable service bulletin.

(2) Within 12 months after the effective date of this AD, replace the uplock assembly with a modified uplock assembly, in accordance with the Accomplishment Instructions of the applicable service bulletin.

(3) After accomplishment of paragraph (b)(1) or (b)(2) of this AD, perform a rigging inspection in accordance with the Accomplishment Instructions of the applicable service bulletin.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on February 13, 1995.

**S.R. Miller,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95–4002 Filed 2–16–95; 8:45 am]

BILLING CODE 4910–13–U

**14 CFR Part 39**

[Docket No. 94–NM–189–AD]

**Airworthiness Directives; Jetstream Model 4101 Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Jetstream Model 4101 airplanes. This proposal would require an inspection to determine if a travel stop (screw) is installed at the flight control assembly, and various follow-on actions. This proposal is prompted by a report of failure of the travel stop, which allowed the elevator and aileron disconnect handles to rotate within the housing due to migration of the travel stop from its position. The actions specified by the proposed AD are intended to prevent such migration, which could result in the elevator and aileron disconnect system resetting without the use of the reset button; this condition could lead to jamming of the disconnect handles.

**DATES:** Comments must be received by March 31, 1995.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 94–NM–189–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041–6029. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Sam Grober, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton,

Washington 98055-4056; telephone (206) 227-1187; fax (206) 227-1320.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 94-NM-189-AD." The postcard will be date stamped and returned to the commenter.

##### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-189-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain Jetstream Model 4101 airplanes. The CAA advises that a report has been received indicating that a screw, which is used as the travel stop in both the elevator and aileron disconnect handles, had migrated out of their position. This allowed the elevator and aileron disconnect control handles to rotate within its housing. Such rotation bypassed the operation of the ratchet assembly and allowed the elevator and aileron disconnect system to reset without the use of the reset button. The cause of this migration is unknown at this time; normally, the

travel stop screws are retained against vibration (which could cause them to become loose) by means of a screw locking insert. Migration of the travel stop, if not corrected, could result in the elevator and aileron disconnect system resetting without the use of the reset button; this condition could lead to jamming of the disconnect handles.

Jetstream has issued Service Bulletin J41-27-036, dated September 2, 1994, which describes procedures for:

1. Performing an inspection to determine if a travel stop (screw) is installed at the flight control assembly;
2. Installing a new travel stop, if no travel stop is found installed;
3. Performing a rotation to determine the security of the travel stop, if a travel stop is installed;
4. Performing an inspection to detect damage, if the travel stop is found to be loose; and replacing the travel stop with a new travel stop, if damage is found;
5. Applying Loctite Superfast 290 to the travel stop;
6. Permanently marking the flight control assembly; and
7. Performing a functional test of the aileron and elevator disconnect systems and setting them to the locked position.

The service bulletin also describes procedures for an optional installation of a protective spiral wrap cover. The CAA classified the service bulletin as mandatory.

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require an inspection to determine if a travel stop (screw) is installed at the flight control assembly, and various follow-on actions. The actions would be required to be accomplished in accordance with the service bulletin described previously.

The FAA estimates that 14 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 4 work hours per

airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would be supplied by the manufacturer at no cost to the operators. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$3,360, or \$240 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

##### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

##### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

##### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

**§ 39.13 [Amended]**

2. Section 39.13 is amended by adding the following new airworthiness directive:

**Jetstream Aircraft Limited:** Docket 94–NM–189–AD.

Applicability: Model 4101 airplanes, constructors numbers 41004 through 41039 inclusive, certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent jamming of the elevator and aileron disconnect handles, accomplish the following:

(a) Within 600 flight hours after the effective date of this AD, or within 6 months after the effective date of this AD, whichever occurs first, perform an inspection to determine if a travel stop (screw) is installed at the flight control assembly, in accordance with Jetstream Service Bulletin J41–27–036, dated September 2, 1994.

(1) If no travel stop is found to be installed, prior to further flight, install a new travel stop in accordance with the service bulletin. After installation, accomplish paragraph (a)(2) of this AD.

(2) If such a travel stop is installed, prior to further flight, perform a rotation to determine the security of the travel stop, in accordance with the service bulletin.

(i) If the travel stop is found to be properly secured, no further action is required by paragraph (a) of this AD.

(ii) If the travel stop is found to be loose, prior to further flight, remove it and perform an inspection to detect damage in accordance with the service bulletin. If any damage is found, replace the travel stop with a new travel stop, in accordance with the service bulletin. After replacement, repeat the requirements of paragraph (a)(2) of this AD.

(b) After accomplishment of paragraph (a) of this AD, prior to further flight, accomplish paragraphs (b)(1), (b)(2), and (b)(3) of this AD, in accordance with Jetstream Service Bulletin J41–27–036, dated September 2, 1994.

(1) Apply Loctite Superfast 290 to the travel stop;

(2) Permanently mark the flight control assembly; and

(3) Perform a functional test of the aileron and elevator disconnect systems and set them to the locked position.

**Note 2:** Procedures for installing a protective spiral wrap cover are contained in Jetstream Service Bulletin J41–27–036, dated September 2, 1994. This installation is recommended, but is not required by this AD.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on February 13, 1995.

**S.R. Miller,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 95–4003 Filed 2–16–95; 8:45 am]

BILLING CODE 4910–13–U

## Federal Highway Administration

### 23 CFR Part 630

[FHWA Docket No. 94–30]

RIN 2125–AD40

### Federal-Aid Project Authorization

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FHWA proposes to amend its regulation on Federal-aid program approval and project authorization. In light of changes made by the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) in the area of statewide planning, and the joint FHWA/Federal Transit Administration (FTA) regulations implementing those changes, this NPRM proposes to remove all other project programming provisions from the FHWA's regulations. This NPRM would also provide more flexible funding arrangements and make the Federal-aid authorization process more flexible. Changes contained in related laws are included.

**DATES:** Written comments are due on or before April 18, 1995. Comments

received after that date will be considered to the extent practicable.

**ADDRESSES:** All written, signed comments should refer to the docket number that appears at the top of this document and should be submitted to Federal Highway Administration, Office of the Chief Counsel, Room 4232, HCC–10, 400 Seventh Street, SW., Washington, D.C. 20590. All comments received will be available for examination at the above address between 8:30 a.m. and 3:30 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard.

**FOR FURTHER INFORMATION CONTACT:** Jerry L. Poston, Office of Engineering, 202–366–0450, or Wilbert Baccus, Office of the Chief Counsel, 202–366–0780, FHWA, 400 Seventh Street, SW., Washington, D.C. 20590. Office Hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday except Federal holidays.

**SUPPLEMENTARY INFORMATION:** The initiation of work for transportation projects funded under the Federal-aid highway program is a two-step process. First, the State, in cooperation and consultation with local officials, as appropriate, through the metropolitan and statewide planning process, determines activities which will be advanced with Federal funds made available under title 23, United States Code, and the Federal Transit Act (49 U.S.C. 5301–5338) and develops a statewide program of projects for these activities. Prior to passage of the ISTEA, the requirements for developing the program of projects were found in 23 U.S.C. 105 and the implementing regulations in 23 CFR 630, subpart A. With passage of the ISTEA, title 23, U.S.C., was modified and the new requirements concerning development of a program of projects, now referred to as the Statewide transportation improvement program, are contained in 23 U.S.C. 135. The implementing regulation for this section are at 23 CFR 450 and were initiated through previous rulemaking actions.

Accordingly, those requirements pertaining to a program of projects in 23 CFR 630, subpart A, no longer need to be retained. The FHWA therefore proposes to eliminate §§ 630.106, 630.108, 630.110 and 630.112 along with inappropriate programming references from the existing regulation.

The second step in initiation of work is the project authorization process. The State highway agency (SHA) requests FHWA authorization to proceed with a proposed Federal-aid highway project.